

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ELEAZAR YISRAEL, : CIVIL ACTION NO. 3:16-572
Plaintiff, : (JUDGE MANNION)
v. :
STATE POLICE, *et al.*, :
Defendants :
:

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. The motion to dismiss Defendant, Luzerne County Medical Director, (Doc. [17](#)), is **GRANTED**.
2. The complaint against Defendant, Luzerne County Sheriff's Department, is **DISMISSED** pursuant to [28 U.S.C. §1915\(e\)\(2\)\(B\)\(ii\)](#).
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).
5. The plaintiff will have until April 14, 2017 to file an amended complaint with respect to the excessive force claim as set forth in the Memorandum filed this day.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: March 21, 2017

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2016 MEMORANDA\16-0572-02-Order.wpd